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5                   UNITED STATES DISTRICT COURT  
6                   EASTERN DISTRICT OF WASHINGTON

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8                   ALLSTATE INSURANCE  
9                   COMPANY,

10                  Plaintiff,

11                  NO. CV-06-5052-RHW

12                  v.

13                  DARBY STAPP and the marital  
14                  community composed of DARBY  
15                  AND JANE DOE STAPP,  
16                  JENNIFER IRLAM, ELLEN  
17                  PRENDERGAST and the marital  
18                  community composed of ELLEN  
19                  AND JOHN DOE PRENDERGAST,  
20                  and DAVE WOODY,

21                  Defendants.

22                  **ORDER DISMISSING ACTION  
23                  AND CLOSING FILE**

24                  Before the Court is Defendant's Second Supplemental Status Certificate (Ct.  
25                  Rec. 30). Defendants indicate that the underlying state court action has been  
26                  concluded and the above-captioned case is therefore moot.

27                  Accordingly, **IT IS HEREBY ORDERED:**

28                  1. The above-captioned case is **dismissed**.

1                  **IT IS SO ORDERED.** The District Court Executive is directed to enter  
2                  this Order, forward copies to counsel, and close the file.

3                  **DATED** this 17<sup>th</sup> day of November, 2008.

4                  *s/ Robert H. Whaley*

5                  ROBERT H. WHALEY  
6                  Chief United States District Judge

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